Plaintiff's Exhibit 40



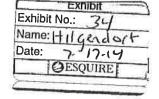
GRADUATE PROGRAM OFFICE

3062 H.H.Dow Building Ann Arbor, MI 48109-2136 Phone: 734-763-9790 Fax: 734-763-4788 http://msewww.engin.umich.edu

December 16, 2011

Ms. Jennifer Dibbern 2222 Fuller Ct., Apt. 303A Ann Arbor, MI 48105

Dear Ms. Dibbern:



I regret to inform you that due to your lack of progress on your thesis research, we are recommending that the Rackham Graduate School discontinue your enrollment in the Materials Science and Engineering Ph.D. program. As we discussed in our meeting in September, and again today, you have enough credits to leave the program with a Master's degree in Materials Science and Engineering.

If you have not already done so, to receive a Master's degree, you will need to provide your official final undergraduate degree transcript to Rackham. If you wish to receive a Master's degree, please notify Ms. Renee Hilgendorf (reneeh@umich.edu) and/or Ms. Denise Edmund (dledmund@umich.edu) in writing by December 20, 2011.

If you wish to appeal this decision, please contact Ms. Darlene Ray-Johnson at Rackham Graduate School.

I wish you well in your future endeavors.

Best.

Professor Peter F. Green

Chair, Materials Science and Engineering

cc: Alec Gallimore, Associate Dean for Research and Graduate Education, CoE Janet Weiss, Dean, Rackham Graduate School